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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/561,184

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Nobuyuki Takakuwa

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YOUNG & THOMPSON

209 Madison Street

Suite 500

ALEXANDRIA, VA 22314

EXAMINER

RUTLEDGE, AMELIA L

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/561,184	<b>Applicant(s)</b> TAKAKUWA ET AL.	
	<b>Examiner</b> AMELIA RUTLEDGE	<b>Art Unit</b> 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This action is responsive to the following communications: Amendment, filed 03/19/2009..
2. Claims 1-17 are pending. Claims 1 and 8-17 are independent claims.
3. The amendment to the title of the Specification has been entered.
4. Claim 17 has been amended to overcome the previous rejection over 35 USC 101.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Moriyama, U.S. Patent No. 4,680,647, issued July 1987.**

**Regarding independent 1**, Moriyama teaches *an information record medium comprising: still picture information which includes at least one still picture*; because Moriyama teaches a method for recording a video format signal for still picture and audio (Figs. 22; 31; 33; col. 6, l. 1-45). Moriyama teaches a recording medium which is a video disc, as well as other formats (col. 49, l. 14-58).

Moriyama teaches *audio information; reproduction control information which reproduces the audio information simultaneously with reproduction of the still picture information*, because Moriyama teaches control signals for simultaneous audio with

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reproduction of the still image information (col. 4, l. 45-col. 6, l. 45; col. 10, l. 15-57).

See col. 5, l. 12-31.

Moriyama teaches *wherein the reproduction control information includes audio repeat information for controlling repeat reproduction of the same audio information simultaneously with the still picture information*, because Moriyama teaches adding several types of audio to a still image recording, in order to add selection of recordings of audio information (col. 6, l. 9-51). Moriyama teaches successive reproduction for audio data and still image mode (col. 5, l. 5-68; col. 43, l. 10-67), or reproduction in response to a control signal supplied from an external source (col. 39, l. 46-col. 40, l. 39).

Moriyama teaches wherein the audio repeat information indicates whether or not to repeatedly reproduce the same audio information (col. 49, l. 27-58), because Moriyama teaches switching between successive and unsuccessful reproduction. Moriyama teaches adding several types of audio to a still image recording, in order to add selection of recordings of audio information (col. 6, l. 9-51).

**Regarding dependent claim 2**, Moriyama teaches *wherein the reproduction control information includes still picture repeat information for controlling the repeat reproduction of the still picture information*, because Moriyama teaches successive reproduction for audio data and still image mode (col. 5, l. 5-68; col. 43, l. 10-67), or reproduction in response to a control signal supplied from an external source (col. 39, l. 46-col. 40, l. 39).

**Regarding dependent claim 3**, Moriyama teaches wherein the reproduction control information defines reproduction timing of the audio information with using a reproduction time axis of the still picture as reference (col. 11, l. 33-col. 12, l. 64).

**Regarding dependent claim 4**, Moriyama teaches *wherein the reproduction control information is defined such that the audio information is reproduced only during reproduction of the still picture*, because Moriyama teaches adding several types of audio to a still image recording, in order to add selection of recordings of audio information (col. 6, l. 9-51).

**Regarding dependent claim 5**, Moriyama teaches wherein the audio repeat information indicates whether or not to repeatedly reproduce the same audio information (col. 49, l. 27-58), because Moriyama teaches switching between successive and unsuccessful reproduction. Moriyama teaches adding several types of audio to a still image recording, in order to add selection of recordings of audio information (col. 6, l. 9-51).

**Regarding dependent claim 6**, Moriyama teaches *wherein the still picture repeat information indicates whether or not to repeatedly reproduce the still picture information*, because Moriyama teaches successive reproduction for audio data and still image mode (col. 5, l. 5-68; col. 43, l. 10-67), or reproduction in response to a control signal supplied from an external source (col. 39, l. 46-col. 40, l. 39).

**Regarding dependent claim 7**, Moriyama teaches *wherein each piece of the still picture information is constructed by an item unit defining a reproduction sequence of still picture contents, and wherein the still picture repeat information includes continue*

*information indicating whether or not to reproduce subsequent still picture information as one reproduction sequence*, because Moriyama teaches dividing the video format signal into a plurality of blocks for synchronization, and inserting control codes into the blocks indicating whether or not to reproduce subsequent still picture and audio information as one reproduction sequence (col. 38, l. 11-col. 39, l. 58).

**Regarding independent claims 8 and 9**, claims 8 and 9 are directed to the apparatus and method related to and substantially similar to the information record medium of claim 1, and are rejected along the same rationale.

**Regarding independent claim 10**, Moriyama teaches *an information reproduction apparatus for reproducing an information record medium comprising: still picture information which includes at least one still picture*; because Moriyama teaches a method for recording a video format signal for still picture and audio (Figs. 22; 31; 33; col. 6, l. 1-45). Moriyama teaches a recording medium which is a video disc, as well as an apparatus (col. 49, l. 14-58).

Moriyama teaches *audio information; reproduction control information which reproduces the audio information simultaneously with reproduction of the still picture information*, because Moriyama teaches control signals for synchronizing audio with reproduction of the still image information (col. 4, l. 45-col. 6, l. 45; col. 10, l. 15-57). Moriyama teaches *the reproduction control information including audio repeat information for controlling repeat reproduction of the same audio information simultaneously with the still picture information*; because Moriyama teaches adding several types of audio to a still image recording, in order to add selection of recordings

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of audio information (col. 6, l. 9-51). Moriyama teaches successive reproduction for audio data and still image mode (col. 5, l. 5-68; col. 43, l. 10-67), or reproduction in response to a control signal supplied from an external source (col. 39, l. 46-col. 40, l. 39). Moriyama teaches wherein the audio repeat information indicates whether or not to repeatedly reproduce the same audio information (col. 49, l. 27-58), because Moriyama teaches switching between successive and unsuccessful reproduction. Moriyama teaches adding several types of audio to a still image recording, in order to add selection of recordings of audio information (col. 6, l. 9-51).

Moriyama teaches *the apparatus comprising: a reading unit which reads the still picture information, the audio information and the reproduction control information from the information record medium; a still picture reproduction unit which reproduces the still picture information; and an audio reproduction unit which reproduces the audio information in simultaneously with reproduction of the still picture information in accordance with the audio repeat information in the reproduction control information* (see Figs. 1, 11, 15; col. 1, l. 65-col. 2, l. 31). Moriyama teaches successive reproduction for audio data and still image mode (col. 5, l. 5-68; col. 43, l. 10-67), or reproduction in response to a control signal supplied from an external source (col. 39, l. 46-col. 40, l. 39).

**Regarding independent claim 11**, claim 11 is directed to the information reproduction method substantially similar to the apparatus of independent claim 10, and is rejected along the same rationale.

**Regarding independent claim 12,** Moriyama teaches *an information record reproduction apparatus comprising an information record unit and an information reproduction unit, wherein the information record unit includes: a first record unit which records still picture information including at least one still picture and audio information;* because Moriyama teaches a method for recording a video format signal for still picture and audio (Figs. 22; 31; 33; col. 6, l. 1-45). Moriyama teaches a recording medium which is a video disc, as well as an apparatus (col. 49, l. 14-58).

Moriyama teaches *a second record unit which records reproduction control information for reproducing the audio information in simultaneously with reproduction of the still picture information,* because Moriyama teaches control signals for synchronizing audio with reproduction of the still image information (col. 4, l. 45-col. 6, l. 45; col. 10, l. 15-57).

Moriyama teaches *wherein the second record unit records the reproduction control information so that the reproduction control information includes audio repeat information for controlling repeat reproduction of the same audio information simultaneously with the still picture information,* because Moriyama teaches adding several types of audio to a still image recording, in order to add selection of recordings of audio information (col. 6, l. 9-51). Moriyama teaches successive reproduction for audio data and still image mode (col. 5, l. 5-68; col. 43, l. 10-67), or reproduction in response to a control signal supplied from an external source (col. 39, l. 46-col. 40, l. 39).



Moriyama teaches wherein the audio repeat information indicates whether or not to repeatedly reproduce the same audio information (col. 49, l. 27-58), because Moriyama teaches switching between successive and unsuccessive reproduction. Moriyama teaches adding several types of audio to a still image recording, in order to add selection of recordings of audio information (col. 6, l. 9-51).

Moriyama teaches *wherein the information reproduction unit includes: a reading unit which reads the still picture information, the audio information and the reproduction control information from the information record medium; a still picture reproduction unit which reproduces the still picture information; and an audio reproduction unit which reproduces the audio information simultaneously with reproduction of the still picture information in accordance with the audio repeat information in the reproduction control information* (see Figs. 1, 11, 15; col. 1, l. 65-col. 2, l. 31). Moriyama teaches successive reproduction for audio data and still image mode (col. 5, l. 5-68; col. 43, l. 10-67), or reproduction in response to a control signal supplied from an external source (col. 39, l. 46-col. 40, l. 39).

**Regarding independent claim 13**, claim 13 is directed to the method to be implemented with the apparatus of independent claim 12, and is rejected along the same rationale.

**Regarding independent claim 14**, claim 14 is directed to the computer program executed on a computer which is substantially similar to the apparatus claimed in independent claim 12, and is rejected along the same rationale.

**Regarding independent claim 15**, claim 15 is directed to the computer program which is related to the apparatus of independent claim 10, and is rejected along the same rationale.

**Regarding independent claim 16**, claim 16 is directed to the computer program executed on a computer, which is substantially similar to the apparatus claimed in independent claim 12, and is rejected along the same rationale.

**Regarding independent claim 17**, claim 17 is directed to the data structure comprising a control signal to be used with the information record medium as claimed in claim 1, and is rejected along the same rationale.

### ***Response to Arguments***

Applicant's arguments filed 03/19/2009 have been fully considered but they are not persuasive.

The independent claims have been amended to add the newly claimed limitation: *wherein the reproduction control information includes audio repeat information for controlling repeat reproduction of the same audio information simultaneously with the still picture information* (Claim 1).

Moriyama teaches wherein the audio repeat information indicates whether or not to repeatedly reproduce the same audio information (col. 49, l. 27-58), because Moriyama teaches switching between successive and unsuccessful reproduction. Moriyama teaches adding several types of audio to a still image recording, in order to add selection of recordings of audio information (col. 6, l. 9-51).

Previously the above claim limitation recited: *controlling repeat reproduction of the audio information synchronized with the still picture information.*

The word "simultaneously" is not defined in the specification, but is generally defined as "happening at the same time" (American Heritage College Dictionary, 2002). The word "synchronized" is not defined in the specification, but is generally defined as "to be simultaneous" Id. Therefore the two words have the same meaning.

For these reasons, Moriyama anticipates claims 1-17.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to AMELIA RUTLEDGE whose telephone number is (571)272-7508. The examiner can normally be reached on Monday - Friday 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amelia Rutledge/  
Primary Examiner, Art Unit 2176